

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

ETHICON ENDO-SURGERY, INC., :  
: Plaintiff, :  
: :  
v. : Case No.: 1:07-CV-834  
HOLOGIC, INC., : The Honorable Michael R. Barrett  
: :  
and :  
: :  
SUROS SURGICAL SYSTEMS, INC., :  
: Defendants. :  
:

**ORDER OF DISMISSAL**

On request of Plaintiff Ethicon Endo-Surgery, Inc. ("EES") and Defendants Hologic, Inc. and Suros Surgical Systems, Inc. ("Hologic"), IT IS HEREBY ORDERED:

1. EES's complaint and claims against Hologic are dismissed with prejudice as to the products at issue in this suit.
2. Hologic's counterclaims and complaint for declaratory judgment against EES are dismissed with prejudice as to the products at issue in this suit.
3. Each party shall bear its own costs, expenses and attorneys' fees.

SO ORDERED,

Dated: February 19, 2010

*s/Michael R. Barrett*

United States District Judge